# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/900,919 | 07/10/2001 | Kobun Suzuki | 209799US-2 | 7137 |

| 22850　　7590　　10/21/2005 | EXAMINER |
|---|---|
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. | FAROOQ, MOHAMMAD O |
| 1940 DUKE STREET | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2181 | |

ALEXANDRIA, VA 22314

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | **Office Action Summary** | **Application No.** | **Applicant(s)** |
| | | 09/900,919 | SUZUKI, KOBUN |
| | | **Examiner** | **Art Unit** | |
| | | Mohammad O. Farooq | 2182 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *18 July 2005*.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 September 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *  c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

1.       Claims 1, 21 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Weyand

et al. U.S. Pat. No. 6,930,785 B1.

2.       As to claim 1, Weyand et al. teach system comprising:

A central supervisory apparatus configured to include a processor (as is common in most

printers, fax machines, and copiers; col. 1, lines 13-28).;

a firmware download device provided in the central supervisory apparatus and configured

to download prescribed updated firmware to an applicable one or more image forming

apparatuses in accordance with updated hardware of the one or more image forming apparatuses

(col. 2, lines 16-43); and

a firmware update device provided in each of the image forming apparatuses and

configured to update firmware of the one or more image forming apparatuses with the updated

firmware when the updated firmware is downloaded  (col. 2, lines 16-43).

3.      As to claim 21, Weyand et al. teach apparatus comprising:

a firmware download device configured to download prescribed updated firmware to an

applicable one or more image forming apparatuses in accordance with updated hardware of the

one or more image forming apparatuses (col. 2, lines 32-43).

4.      As to claim 43, Weyand et al. teach apparatus, comprising:

central supervisory means for remotely supervise image forming means (col. 2, lines 32-

43).

firmware download means for downloading prescribed updated firmware to an applicable

one or more image forming apparatuses in accordance with updated hardware of the one or more

image forming means, said firmware download means provided in the central supervisory means

(col. 2, lines 32-43); and

firmware update means device for updating firmware of the one or more image forming

apparatuses with the updated firmware when the updated firmware is downloaded, said firmware

update means being provided in each of the image forming means (col. 2, lines 32-43).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.      Claims 2-9, 11-17, 22-33 and 35-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weyand et al. U.S. Pat. No. 6,930,785 B1 in view of Weinberger, et al. U.S.

Pat. No. 6,009,284.

6.      As to claim 2, Weyand et al. do not teach wherein the updated hardware includes a

control baseboard unit or a unit.  Weinberger et al. teach apparatus, wherein the updated

hardware includes a control baseboard unit or a unit (inherent; fig. 1, 2, 3 and 4).  Therefore, it

would have been obvious to one of ordinary skill in the art at the time of invention to combine

the teachings of Weyand et al. and Weinberger et al. because that would provide automatic

monitoring of copier status, in real time or quasi real time including error conditions, from a

central location (col. 2, lines 2-4).

7.      As to claim 3, Weyand et al. do not teach wherein the updated hardware includes one or

more non-volatile memories configured to store prescribed firmware.  Weinberger et al. teach

apparatus, wherein the updated hardware includes one or more non-volatile memories configured

to store prescribed firmware (col. 6, lines 1-10).  Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and

Weinberger et al. because that would provide automatic monitoring of copier status, in real time

or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

8.      As to claim 4, Weyand et al. do not teach apparatus, further comprising: hardware read

device to read hardware information; hardware information transmission device to transmit

hardware information; database provided in the central supervisory apparatus and to store

hardware information; and database update device to update database based upon the hardware

information.

Weinberger et al. teach apparatus, further comprising:

a hardware read device configured to read hardware information of each of the plurality

of image forming apparatuses (inherent because of user interface and translator; item 60 and 6;

fig. 1);

a hardware information transmission device configured to transmit the hardware

information from the each of the plurality of image forming apparatuses to the central

supervisory apparatus (inherent; col. 3, line 52- col. 4, line 9; fig. 1);

a database provided in the central supervisory apparatus and configured to store hardware

information of the plurality of image forming apparatuses (col. 4, lines 3-9); and

a database update device configured to update the database based upon the hardware

information when receiving the hardware information from the one or more image forming

apparatuses (inherent; col. 13, lines 23-48).  Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and

Weinberger et al. because that would provide automatic monitoring of copier status, in real time

or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

9.      As to claims 5 and 11, Weyand et al. do not teach wherein said hardware information is transmitted therefrom when power is supplied to the image forming apparatus. Weinberger et al. teach apparatus, wherein said hardware information is transmitted therefrom when power is supplied to the image forming apparatus (inherent; col. 3, line 52- col. 4, line 9). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that would provide automatic monitoring of copier status, in real time or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

10.      As to claims 6 and 12, Weyand et al. do not teach wherein the hardware information is periodically transmitted at a prescribed interval. Weinberger et al. teach apparatus, wherein the hardware information is periodically transmitted at a prescribed interval (inherent; col. 7, lines 6-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that would provide automatic monitoring of copier status, in real time or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

11.     As to claims 7 and 13, Weyand et al. do not teach wherein the hardware information is

transmitted when prescribed communications are performed between the one or more applicable

image forming apparatuses and the central supervisory apparatus.  Weinberger et al. teach

apparatus, wherein the hardware information is transmitted when prescribed communications are

performed between the one or more applicable image forming apparatuses and the central

supervisory apparatus (via translator, fig. 1; inherent because of user interface; item 60, fig. 1).

        Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).

12.     As to claims 8, 14 and 15, Weyand et al. do not teach further comprising a hardware read

instruction transmission device provided in the central supervisory system and configured to

transmit the hardware instruction to the applicable one or more image forming apparatuses,

wherein said hardware information is transmitted when the applicable one or more image

forming apparatuses receives the hardware read instruction. Weinberger et al. teach apparatus,

further comprising a hardware read instruction transmission device provided in the central

supervisory system and configured to transmit the hardware instruction to the applicable one or

more image forming apparatuses, wherein said hardware information is transmitted when the

applicable one or more image forming apparatuses receives the hardware read instruction

(inherent because of user interface and translator; item 60 and 6; fig. 1). Therefore, it would

have been obvious to one of ordinary skill in the art at the time of invention to combine the

teachings of Weyand et al. and Weinberger et al. because that would provide automatic

monitoring of copier status, in real time or quasi real time including error conditions, from a

central location (col. 2, lines 2-4).


13.     As to claim 9, Weyand et al. do not teach apparatus, comprising: a hardware information

storage device provided in each of the plurality of image forming apparatuses and configured to

store its own hardware information. Weinberger et al. teach apparatus, further comprising:

        a hardware information storage device (i.e. database) provided in each of the plurality of

image forming apparatuses and configured to store its own hardware information (col. 4, lines 3-

9); and

a hardware information update device configured to update its own hardware information (inherent; col. 13, lines 23-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that would provide automatic monitoring of copier status, in real time or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

14.     As to claim 16, Weyand et al. do not teach apparatus, comprising: a conformity check device provided in the firmware download device configured to check conformity of the supervisory information including at least the hardware information with the updated firmware, wherein said updated firmware is downloaded if the supervisory information conforms to the updated firmware. Weinberger et al. teach apparatus, further comprising:

a conformity check device provided in the firmware download device configured to check conformity of the supervisory information including at least the hardware information with the updated firmware, wherein said updated firmware is downloaded if the supervisory information conforms to the updated firmware (because of interrupt driven; col. 7, lines 6-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that would provide automatic monitoring of copier status, in real time or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

15.    As to claim 17, Weyand et al. do not teach apparatus, comprising: wherein the updated

firmware is regenerated so as to conform to the supervisory information, if the supervisory

information does not conform to the updated firmware.  Weinberger et al. teach apparatus,

wherein the updated firmware is regenerated so as to conform to the supervisory information, if

the supervisory information does not conform to the updated firmware (since the translator

periodically evaluates the condition of the copier; col. 7, lines 6-26).

       Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).


16.    As to claim 22, Weyand et al. do not teach wherein the updated hardware includes a

control baseboard unit.  Weinberger et al. teach apparatus, wherein the updated hardware

includes a control baseboard unit (inherent; fig. 1, 2, 3 and 4).

       Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).

17.     As to claim 23, Weyand et al. do not teach wherein the updated hardware includes one or

more non-volatile memories configured to store prescribed firmware. Weinberger et al. teach

apparatus, wherein the updated hardware includes one or more non-volatile memories configured

to store prescribed firmware (col. 6, lines 1-10). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and

Weinberger et al. because that would provide automatic monitoring of copier status, in real time

or quasi real time including error conditions, from a central location (col. 2, lines 2-4).


18.     As to claim 24, Weyand et al. do not teach a firmware update device configured to update

firmware of the image forming apparatuses with the updated firmware when the updated

firmware is downloaded. Weinberger et al. teach apparatus, further comprising a firmware

update device configured to update firmware of the image forming apparatuses with the updated

firmware when the updated firmware is downloaded (inherent; fig. 1, 2,3 and 4; col. 13, lines 23-

48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).

19.     As to claim 25, Weyand et al. do not teach apparatus comprising: a hardware read device

configured to read hardware information thereof and a hardware information transmission device

configured to transmit the hardware information to the central supervisory apparatus.

Weinberger et al. teach apparatus, further comprising:

      a hardware read device configured to read hardware information thereof (via translator;

fig. 1); and

      a hardware information transmission device configured to transmit the hardware

information to the central supervisory apparatus (inherent because of user interface; item 60, fig.

1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).


20.     As to claims 26 and 35, Weyand et al. do not teach apparatus, wherein said hardware

information is transmitted therefrom to the central supervisory apparatus when power is supplied

thereto. Weinberger et al. teach apparatus, wherein said hardware information is transmitted

therefrom to the central supervisory apparatus when power is supplied thereto (inherent; col. 3,

line 52- col. 4, line 9). Therefore, it would have been obvious to one of ordinary skill in the art

at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because

that would provide automatic monitoring of copier status, in real time or quasi real time

including error conditions, from a central location (col. 2, lines 2-4).

21.     As to claims 27 and 36, Weyand et al. do not teach apparatus, wherein the hardware

information is periodically transmitted at a prescribed interval. Weinberger et al. teach

apparatus, wherein the hardware information is periodically transmitted at a prescribed interval

(inherent; col. 7, lines 6-26). Therefore, it would have been obvious to one of ordinary skill in

the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al.

because that would provide automatic monitoring of copier status, in real time or quasi real time

including error conditions, from a central location (col. 2, lines 2-4).


22.     As to claims 28, 37 and 40, Weyand et al. do not teach wherein said hardware

information is transmitted therefrom when prescribed communications are performed with the

center system. Weinberger et al. teach apparatus, wherein said hardware information is

transmitted therefrom when prescribed communications are performed with the center system

(inherent; col. 3, line 52- col. 4, line 9). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and

Weinberger et al. because that would provide automatic monitoring of copier status, in real time

or quasi real time including error conditions, from a central location (col. 2, lines 2-4).


23.     As to claim 29, Weyand et al. do not teach apparatus, comprising: a database configured

to store hardware information; and a database update device configured to update database based

upon the hardware information. Weinberger et al. teach apparatus, further comprising:

        a database configured to store hardware information of the plurality of image forming

apparatuses (col. 4, lines 3-9); and

a database update device configured to update the database based upon the hardware

information when receiving the hardware information from the one or more image forming

apparatuses (inherent; col. 13, lines 23-48). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and

Weinberger et al. because that would provide automatic monitoring of copier status, in real time

or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

24.     As to claim 30, Weyand et al. do not teach a hardware read instruction transmission

device configured to transmit the hardware instruction to the applicable one or more image

forming apparatuses. Weinberger et al. teach apparatus, further comprising a hardware read

instruction transmission device configured to transmit the hardware instruction to the applicable

one or more image forming apparatuses (inherent because of user interface and translator; item

60 and 6; fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that

would provide automatic monitoring of copier status, in real time or quasi real time including

error conditions, from a central location (col. 2, lines 2-4).

25.     As to claims 31 and 38, Weyand et al. do not teach wherein said hardware information is

transmitted therefrom when receiving the hardware read instruction. Weinberger et al. teach

apparatus, wherein said hardware information is transmitted therefrom when receiving the

hardware read instruction (inherent; col. 3, line 52- col. 4, line 9; fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).

26.     As to claims 32 and 39, Weyand et al. do not teach apparatus, comprising: a hardware

information storage device (i.e. database) configured to store hardware information related to the

plurality of image forming apparatuses; and a hardware information update device configured to

update the hardware information. Weinberger et al. teach apparatus, further comprising:

a hardware information storage device (i.e. database) configured to store hardware

information related to the plurality of image forming apparatuses (col. 4, lines 3-9); and

a hardware information update device configured to update the hardware information

(inherent; col. 13, lines 23-48).  Therefore, it would have been obvious to one of ordinary skill in

the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al.

because that would provide automatic monitoring of copier status, in real time or quasi real time

including error conditions, from a central location (col. 2, lines 2-4).

27.     As to claim 33, Weyand et al. do not teach apparatus, comprising: a hardware

information storage device configured to store hardware information thereof; and a hardware

information update device configured to update the hardware information. Weinberger et al.

teach apparatus, further comprising:

a hardware information storage device (i.e. database) configured to store hardware

information thereof (col. 4, lines 3-9); and

a hardware information update device configured to update the hardware information

(inherent; col. 13, lines 23-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).


28.     As to claim 41, Weyand et al. do not teach a conformity check device provided in the

firmware download device configured to check conformity of the supervisory information

including at least the hardware information with the updated firmware, wherein said updated

firmware is downloaded if the supervisory information conforms to the updated firmware.

Weinberger et al. teach apparatus, further comprising:

a conformity check device provided in the firmware download device configured to

check conformity of the supervisory information including at least the hardware information with

the updated firmware, wherein said updated firmware is downloaded if the supervisory

information conforms to the updated firmware (because of interrupt driven; col. 7, lines 6-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Weyand et al. and Weinberger et al. because that would

provide automatic monitoring of copier status, in real time or quasi real time including error

conditions, from a central location (col. 2, lines 2-4).

29.     As to claim 42, Weyand et al. do not teach apparatus, wherein the updated firmware is regenerated so as to conform to the supervisory information, if the supervisory information does not conform to the updated firmware. Weinberger et al. teach apparatus, wherein the updated firmware is regenerated so as to conform to the supervisory information, if the supervisory information does not conform to the updated firmware (since the translator periodically evaluates the condition of the copier; col. 7, lines 6-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weyand et al. and Weinberger et al. because that would provide automatic monitoring of copier status, in real time or quasi real time including error conditions, from a central location (col. 2, lines 2-4).

30.     Claims 10 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weyand et al. U.S. Pat. No. 6,930,785 B1 in view of Weinberger, et al. U.S. Pat. No. 6,009,284 further in view of Kikuchi et al. U.S. Pat. 5,552,901.

31.     As to claim 10, neither Weyand et al. nor Weinberger et al. teach a version number of the hardware, hardware information stored in the hardware information storage device and update when the at least a version number does conform to the hardware information.

Kikuchi et al. teach a version number of the hardware (i.e. telephone number and user identifiers), hardware information stored in the hardware information storage device (in the address) and update when the at least a version number does conform to the hardware information (col. 6, lines 8-55). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Weyand et al. and Weinberger et al. with Kikuchi et al. because that would provide parallel runs of business applications (col. 3, lines 51-63).

32.     As to claim 34, neither Weyand et al. nor Weinberger et al. teach a version number of the hardware, hardware information stored in the hardware information storage device and update when the at least a version number does conform to the hardware information.

Kikuchi et al. teach a version number of the hardware (i.e. telephone number and user identifiers), hardware information stored in the hardware information storage device (in the address) and update when the at least a version number does conform to the hardware information (col. 6, lines 8-55). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Weyand et al. and Weinberger et al. with Kikuchi et al. because that would provide parallel runs of business applications (col. 3, lines 51-63).

33.     Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Weinberger, et al. U.S. Pat. No. 6,009,284 in view of Kikuchi et al. U.S. Pat. 5,552,901 further in view of Weyand et al. U.S. Pat. No. 6,930,785 B1.

34.     As to claim 18, Weinberger et al. teach method, comprising the steps of:

providing a database configured to store and supervise hardware information of the

plurality of image forming apparatuses (col. 4, lines 3-9);

transmitting a hardware read instruction from the central supervisory apparatus to an

applicable one or more image forming apparatuses (items 60 and 6, fig. 1);

reading hardware information from hardware of the applicable one or more image

forming apparatuses when power is supplied thereto (col. 3, line 52-col. 4, line 9);

comparing the read hardware information with previously stored hardware information

stored in a memory (col. 7, lines 6-26);

determining if both of the read and previously stored hardware information conforms

with each other (col. 7,lines 6-26);

updating the previously stored hardware information with the read hardware information

when both of the read and previously stored hardware information do not conform with each

other (inherent; col. 13, lines 23-48);

reading the updated hardware information (inherent; item 60 and 6, fig. 1);

transmitting the updated hardware information to central supervisory apparatus when

receiving the hardware read instruction (fig. 1);

updating the database when the transmitted hardware information is received (fig. 1; col.

13, lines 23-48);

determining if supervisory information stored in the database conforms to prescribed

updated firmware (col. 7, lines 6-26); and

(inherent; fig. 1,2,3 and 4; col. 13, lines 23-48).

However, Weinberger et al. do not teach a central supervisory apparatus configured to include a processor and a communication line. Kikuchi et al. teach a central supervisory apparatus configured to include a processor and a communication line (inherent). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Weinberger et al. and Kikuchi et al. because that would provide parallel runs of other business applications (col. 2, lines 59-62).

Neither Weinberger et al. nor Kikuchi et al. teach downloading the updated firmware to the applicable one or more image forming apparatuses when the supervisory information conforms to the updated firmware. Weyand et al. teach downloading the updated firmware to the applicable one or more image forming apparatuses when the supervisory information conforms to the updated firmware. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Weinberger et al. and Kikuchi et al. with Weyand et al. because that would provide upgrade information is selectively installed into the firmware of the imaging system (col. 2, lines 41-43).

35.     As to claim 19, Weinberger et al. teach method, comprising the steps of:

providing a database configured to store and supervise hardware information of the plurality of image forming apparatuses (col. 4, lines 3-9);

transmitting a hardware read instruction from the central supervisory apparatus to an applicable one or more image forming apparatuses (items 60 and 6, fig. 1);

periodically reading hardware information from hardware of the applicable one or more image forming apparatuses (col. 7, lines 6-26;col. 3, line 52-col. 4, line 9);

comparing the read hardware information with previously stored hardware information

stored in a memory (col. 7, lines 6-26);

determining if both of the read and previously stored hardware information conforms

with each other (col. 7,lines 6-26);

updating the previously stored hardware information with the read hardware information

when both of the read and previously stored hardware information do not conform with each

other (inherent; col. 13, lines 23-48);

reading the updated hardware information (inherent; item 60 and 6, fig. 1);

transmitting the updated hardware information to central supervisory apparatus when

receiving the hardware read instruction (fig. 1);

updating the database when the transmitted hardware information is received (fig. 1; col.

13, lines 23-48);

determining if supervisory information stored in the database conforms to prescribed

updated firmware (col. 7, lines 6-26); and

Weinberger et al. do not teach a central supervisory apparatus configured to include a

processor and a communication line. Kikuchi et al. teach a central supervisory apparatus

configured to include a processor and a communication line (inherent)). However, it would have

been obvious to one of ordinary skill in the art at the time of invention to combine the teachings

of Weinberger et al. and Kikuchi et al. because that would provide parallel runs of other business

applications (col. 2, lines 59-62).

However, neither Weinberger et al. nor Kikuchi et al. teach downloading the updated firmware to the applicable one or more image forming apparatuses when the supervisory information conforms to the updated firmware. Weyand et al. teach downloading the updated firmware to the applicable one or more image forming apparatuses when the supervisory information conforms to the updated firmware. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Weinberger et al. and Kikuchi et al. with Weyand et al. because that would provide upgrade information is selectively installed into the firmware of the imaging system (col. 2, lines 41-43).

36.       As to claim 20, Weinberger et al. teach method, comprising the steps of:

providing a database configured to store and supervise hardware information of the plurality of image forming apparatuses (col. 4, lines 3-9);

transmitting a hardware read instruction from the central supervisory apparatus to an applicable one or more image forming apparatuses (items 60 and 6, fig. 1);

reading hardware information from hardware of the applicable one or more image forming apparatuses when prescribed communications are performed between the applicable one or more image forming apparatuses and the central supervisory apparatus (col. 7, lines 6-26;col. 3, line 52-col. 4, line 9);

comparing the read hardware information with previously stored hardware information stored in a memory (col. 7, lines 6-26);

determining if both of the read and previously stored hardware information conforms with each other (col. 7,lines 6-26);

updating the previously stored hardware information with the read hardware information

when both of the read and previously stored hardware information do not conform with each

other (inherent; col. 13, lines 23-48);

reading the updated hardware information (inherent; item 60 and 6, fig. 1);

transmitting the updated hardware information to central supervisory apparatus when

receiving the hardware read instruction (fig. 1);

updating the database when the transmitted hardware information is received (fig. 1; col.

13, lines 23-48);

determining if supervisory information stored in the database conforms to prescribed

updated firmware (col. 7, lines 6-26); and

Weinberger et al. do not teach a central supervisory apparatus configured to include a

processor and a communication line. Kikuchi et al. teach a central supervisory apparatus

configured to include a processor and a communication line (inherent) (fig. 4, 16 and 17).

However, it would have been obvious to one of ordinary skill in the art at the time of invention to

combine the teachings of Weinberger et al. and Kikuchi et al. because that would provide

parallel runs of other business applications (col. 2, lines 59-62).

However, neither Weinberger et al. nor Kikuchi et al. teach downloading the updated

firmware to the applicable one or more image forming apparatuses when the supervisory

information conforms to the updated firmware. Weyand et al. teach downloading the updated

firmware to the applicable one or more image forming apparatuses when the supervisory

information conforms to the updated firmware. Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to modify the combination of Weinberger et al.

and Kikuchi et al. with Weyand et al. because that would provide upgrade information is

selectively installed into the firmware of the imaging system (col. 2, lines 41-43).

### *Response to Arguments*

37.     Applicant's arguments with respect to claims 1-43 have been considered but are moot in

view of the new ground(s) of rejection.

38.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-

4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad O. Farooq
October 7, 2005

HENRY W. H. TSAI
PRIMARY EXAMINER